

MICHAEL D. BRUNO (SBN: 166805)
ALYSON S. CABRERA (SBN: 222717)
GORDON REES SCULLY MANSUKHANI, LLP
315 Pacific Avenue
San Francisco, CA 94111
Telephone: (415) 986-5900
Facsimile: (415) 986-8054
mbruno@grsm.com
acabrera@grsm.com

Attorneys for Defendant
STANFORD HEALTH CARE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DOE #1400,)	CASE NO.
)	
Plaintiff,)	NOTICE OF REMOVAL OF ACTION
)	UNDER 28 U.S.C. §1441(B) (FEDERAL
vs.)	QUESTION)
)	
STANFORD HEALTH CARE, and DOES)	
1-50, inclusive,)	
)	
Defendants.)	
)	
)	

TO THE CLERK OF THE ABOVE-ENTITLED COURT:

PLEASE TAKE NOTICE that Defendant STANFORD HEALTH CARE (“Defendant” or “SHC”) hereby removes to this Court the state court action described below.

1. On September 3, 2024, Pro Se Plaintiff commenced an action in the Superior Court of the State of California in and for the County of Santa Clara, entitled *Doe #1400 v. Stanford Health Care, and DOES 1-50, inclusive*, Case No. 24CV446393 (hereinafter “the Action”) by filing a “complaint for preliminary and permanent injunctions and for damages.”

2. On November 4, 2024, Pro Se Plaintiff filed a “first amended complaint to withdraw motions for injunctions, prayer for relief under unruh civil rights act, and for damages.”

1 3. On November 15, 2024, Pro Se Plaintiff filed an “ex parte order to strike first
2 amendment, replace with corrected first amendment, and extend time to serve to November 25,
3 2024,” which the court granted.

4 4. On November 20, 2024, Pro Se Plaintiff filed a “corrected first amended
5 complaint for money damages and civil penalties under the unruh civil rights act” (“the operative
6 complaint”).

7 5. A copy of Pro Se Plaintiff’s summons and complaints, including the operative
8 complaint, are attached hereto as **Exhibit A**.

9 6. Pro Se Plaintiff served SHC with the documents at Exhibit A on **November 21,**
10 **2024.** The operative complaint (at ¶4) alleges that **“SHC is required to abide by the ADA and**
11 **Section 504 of the Rehabilitation Act of 1973.”** The operative complaint asserts **a First Cause**
12 **of Action for “Refusal to grant reasonable accommodations, which is a violation of all of**
13 **the aforementioned State and Federal anti-discrimination legislation.”** The operative
14 complaint (at ¶12) alleges **“violation of the ADA and Section 504 of the Rehabilitation Act.”**

15 7. Defendant has filed a general denial to the operative complaint in Santa Clara
16 County Superior Court. A copy is attached here to as **Exhibit B**.

17 8. Pursuant to 28 U.S.C. § 1446(b)(3), this Notice of Removal is being filed within
18 thirty (30) days from service.

19 9. This action is a civil action of which this Court has original jurisdiction under 28
20 U.S.C. §1331, and is one which may be removed to this Court by Defendant pursuant to the
21 provisions of 28 U.S.C. §1441(b) in that it arises under federal law pursuant to the Americans
22 with Disabilities Act and Section 504 of the Rehabilitation Act of 1973.

23 10. Accordingly, this Action presents claims arising under the laws of the United
24 States, thereby conferring jurisdiction on this Court pursuant to 28 U.S.C. §1331.

25 11. In addition to jurisdiction over any of Plaintiff’s claims under federal law, this
26 Court has supplemental jurisdiction over any of Plaintiff’s related state law claims. Specifically,
27 28 U.S.C. §1367 confers jurisdiction to this Court over all claims which form part of the same
28 case or controversy as the claim(s) over which the Court has original jurisdiction.

1 12. Plaintiff's supplemental state law claims in the complaint stem from the same
2 common set of alleged facts and circumstances involving the alleged ADA and Rehabilitation
3 Act violations.

4 13. Venue is proper in this District pursuant to 29 U.S.C. §1132(e)(2) because this
5 Action is currently pending in the State of California, County of Santa Clara, which is the same
6 venue for this Court.

7 14. Pursuant to 28 U.S.C. §1446(d), a copy of this Notice of Removal, without
8 exhibits, will be promptly served on Plaintiff's counsel.

9 15. A copy of this Notice of Removal, without exhibits, will also be filed with the
10 Clerk of the Superior Court of the State of California in and for the County of Santa Clara.

11 **WHEREFORE**, Defendant respectfully removes this Action from the Superior Court of
12 Santa Clara County to this Court, pursuant to 28 U.S.C. §1441.

13
14 Dated: December 23, 2024

GORDON REES SCULLY MANSUKHANI, LLP

15 By: /s/ Michael D. Bruno

16 Michael D. Bruno

17 Alyson S. Cabrera

Attorneys for Defendant

18 STANFORD HEALTH CARE
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